

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JEFFREY ALONZO SIMMS,

Plaintiff,

v.

HARRY M. FREEDMAN, M.D.,
DONNA BURNS, DR., and
MAJOR R. L. HUGHES,

Defendants.

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C.A. No. 04-1205-SLR

TRIAL BY JURY OF
TWELVE DEMANDED

**Harry M. Freedman, M.D.'s Response to Plaintiff's Petition to Overturn Summary
Judgment**

1. Plaintiff fails to state the bases for his petition to reverse the grant of summary judgment in favor of defendant Harry M. Freedman. Accordingly, Dr. Freedman is not in a position to respond to the petition except to state that without any legal basis to support reversal, the decision granting the motion for summary judgment should not be overturned.

ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.



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DATE: 11/15/06